

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**JOSE VENTURA BENAVIDEZ,
#19814-051,**

Plaintiff,

v.

DAN JOSLIN, Warden,

Defendant.

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**Civil Action No. 3:06-CV-0509-L
ECF**

ORDER

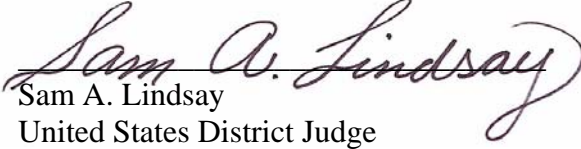
This is a pro se civil rights case brought by Plaintiff Jose Ventura Benavidez (“Benavidez” or “Plaintiff”), a former inmate of the Bureau of Prison at FCI Seagoville in Seagoville, Texas. Pursuant to 28 U.S.C. § 636(b), this action was referred to the United States Magistrate Judge for proposed findings and recommendation.

On May 16, 2006, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”) were filed. The magistrate judge recommends that this case be dismissed without prejudice for want of prosecution pursuant to Fed. R. Civ. P. 41(b), as Benavidez’s whereabouts are presently unknown, and he has failed to contact the court or notify the court of his new address. Benavidez did not file objections to the Report.

Having reviewed the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions of the magistrate

judge are correct. They are therefore accepted as those of the court. Accordingly, this action is **dismissed without prejudice** pursuant to Fed. R. Civ. P. 41(b) for want of prosecution.

It is so ordered this 13th day of June, 2006.


Sam A. Lindsay
United States District Judge